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DOI:

[10.1080/09512748.2018.1513546](https://doi.org/10.1080/09512748.2018.1513546)

Document Version

Peer reviewed version

[Link to publication record in King's Research Portal](#)

Citation for published version (APA):

Patalano, A. (2019). When strategy is 'hybrid' and not 'grey': reviewing Chinese military and constabulary coercion at sea. *PACIFIC REVIEW*, 31(6), 811-839. <https://doi.org/10.1080/09512748.2018.1513546>

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When Strategy is 'Hybrid' and not 'Grey': Reviewing Chinese Military and Constabulary Coercion at Sea

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Abstract:

The paper challenges the notion that Chinese maritime coercion in the East and South China Seas (ESCS) is best described as a grey zone strategy. The 'grey zone' notion raises two issues. Conceptually, it adds little to the existing literature on maritime coercion. Practically, it creates confusion over the understanding of maritime coercion by blurring the distinction between military and constabulary activities. The paper articulates this difference to elucidate the functional correlation between Beijing's strategic objectives and maritime claims. Within this context, the grey zone construct is particularly problematic since it uncritically assumes that the use of force is designed to remain below the threshold of war. By contrast, the paper argues that Chinese maritime claims to control 'rights and interests' are a function of a broader strategic intention to project military power within and beyond the confines of the ESCS, whilst preventing others to do the same. Thus, Chinese maritime coercion (military and constabulary) increases strategic competition and the risk of war, and is therefore better described as part of a 'hybrid' strategy.

Key words:

Maritime Coercion, Hybrid Strategy, Grey Zone Strategy, South China Sea, East China Sea, Chinese Maritime Power

Introduction

On 30 July 2017, on a sandy ground in Zhurihe in the remote region of Inner Mongolia, dozens of soldiers jumped off combat helicopters to join their comrades in camouflage as their commander in chief, President Xi Jinping, reviewed them for the first time. President Xi's message for the parading troops was clear. 'The Chinese people love peace. We will never seek aggression or expansion, but we have the confidence to defeat all invasions' for '(n)o one should expect us to swallow bitter fruit that is harmful to our sovereignty, security, or development interests'. Xi expected the Chinese military to stand ready 'to fight and win wars' (Xinhua, 02 August 2017). Less than a week later, the Chinese

navy, or People's Liberation Army Navy (PLAN), was already answering to the President's call with a regular live ammunition combat drill involving missile, surface, submarine, and air operations in the waters of, and in the skies above, the Bohai and Yellow seas (People's Daily, 07 August 2017).

President Xi's comments and the PLAN's training schedule that followed them are the most recent expression of a decade-long process of maritime modernisation and empowerment. Indeed, as it was recently calculated, with an average of nine new surface combatants commissioned every year since 2010, there is little doubt that the Chinese navy stands out as a significantly fast-growing major military actor (Mugg and Cowan 2017; O'Rourke 2017; ONI 2015; DOD 2015, 10, 12; DOD 2017, 24-27). In the Chinese maritime landscape, moreover, the PLAN is not the only actor that has been growing in capabilities and receiving wider responsibilities. As authoritative estimates have recently confirmed, the Chinese Coast Guard (CCG) and the People's Armed Forces Maritime Militia (PAFMM) have also been undergoing significant organisational transformation and capabilities build-up (DOD 2015, 11, 14; DOD 2016, 69; DOD 2017, 56; O'Rourke 2017, 39-40; Morris 2017, Erickson and Kennedy, March 2016; Kennedy and Erickson 2017; Martinson 2017).

As Beijing's top leadership has put it, China is on a pathway to become a maritime power. Such an ambition matters. One major impact of these enhanced capabilities has concerned the use of coercion to prevent – in Xi's own words – any 'bitter fruit' to harm Chinese sovereignty and security in the East and South China Seas (ESCS). In these two basins, analysts and practitioners agree that Chinese forces have been exerting a tailored form of coercion 'below the traditional thresholds of high-end conflict' to pursue the country's maritime claims (Cronin et Al. 2014; DOD 2015, 14; Townshend and Medcalf 2016, 4, 5, 7, 8; DOD 2017, 12; Green et Al. 2017, 3-4). Indeed, Chinese coercive behaviour has more recently prompted scholars and officials to consider it as a manifestation of a new form of competition known as a 'grey zone' conflict (JMoD 2014, 2; Mazarr 2015, 1-4; Kapusta 2015, 23-24; Votel et Al. 2015, 102; Hoffmann 2015, 26). The strategy underwriting the 'grey zone' challenge – the current scholarly argument goes – would be one aimed at pursuing a change in the status quo of the disputes in the ESCS whilst avoiding high-end war.

This paper questions the utility of the 'grey zone' construct as it raises two issues. Conceptually, it adds little to the existing literature on maritime coercion. Practically, it creates confusion over the understanding of maritime coercion by blurring the distinction between military and constabulary activities. This distinction, in turn, is significant for two reasons. First, this distinction contributes to elucidate the functional correlation between Beijing's strategic objectives and maritime claims. Second, at sea, the nature of a coercive act is determined by its context, not by the agent (military, constabulary, and or militia). Military coercion is designed to achieve strategic objectives, increasing the Chinese ability to project hard power in a specific theatre. Constabulary coercion relates to the

narrower objective of controlling parts of the sea and the features in it. In the grey zone construct, the focus on 'who' conducts coercion as opposed to 'what for' prevents to link actions to intentions and repercussions.

The paper finds that Chinese maritime claims to control 'maritime rights and interests' are a function of a broader strategic intention to project military power in the ESCS whilst preventing others to do the same. Thus, Chinese maritime coercion (military and constabulary) increases strategic competition, and with it, the risk of war. For this reason, this paper argues that Chinese maritime coercion in the ESCS better matches the parameters of a hybrid strategy. This hybrid strategy mobilises military, constabulary and paramilitary means in a coordinated fashion, using political and legal rhetoric to justify them and to prevent or inhibit responses in the pursuit of geostrategic objectives. The paper is divided into three main sections, the first reviewing the adoption of the grey zone strategy concept against the wider maritime literature. The second section examines coercive activities and categorise them in relation to military and constabulary objectives. The third part of the paper, on the other hand, explores how Chinese authorities have mobilised political and legal rhetorical tools to present military and constabulary coercive activities as lawful and measured responses. This section connects the tactical layer of maritime coercion with its broader political context before drawing some conclusions on the wider implications of Chinese hybrid strategy at sea.

The paper does not engage with the nature of Chinese maritime boundary disputes and sovereign claims as its analytical focus is on *how* Chinese claims are pursued. Geographic features in the South China Sea are referred to by their common English designation, in a fashion consistent with the arbitral tribunal in the Philippines case (PCA 2016, xix-xx). The paper refers to the island group in the East China Sea as Senkaku islands as they are under Japanese administrative control. These islands are claimed by China under the name Diaoyu Dao. The paper acknowledges the controversy over Chinese maritime claims as set out in relevant statements by Chinese authorities (PRC 1992; CMFA 2012; CMFA 2014) as well as academic criticisms levelled against them (Malik 2013; Jacobs 2014; Hayton 2015; PCA 2016, 71-73, 84, 98, 111-118). In dealing with Chinese political and legal rhetoric, the paper draws upon the argument from literature on Chinese 'three warfares' regarding the Chinese systematic and coordinate use of communication, political, and legal tools in the conduct of its foreign and security policy (Cheng 2012; Halper 2013; Stokes and Hsiao 2013; Jackson 2015; Raska 2015). In this respect, whilst the paper's focus is on military and constabulary coercion, it acknowledges that coercive actions have included also the wider use of economic means especially in relation to maritime disputes with Japan, Vietnam, and the Philippines (Cronin et Al. 2014, 12, 16; Green et Al. 2017, 86, 95, 113-114, 122).

Shades of Grey or Layers of Hybridity? Reviewing the Frameworks

Coercion at sea below the threshold of high-end conflict is not new, nor unusual. As James Cable's work on naval diplomacy established in the early 1970s, at sea, 'the space between peace and war' – to borrow Nadia Schadlow's expression – has never been an empty one (Cable 1999; Schadlow 2014). During the Cold War, the frequency of maritime activities taking place below such a threshold has propelled maritime strategists to study the impact of peacetime maritime activities on international politics (Martin 1967; Wylie 1967; Booth 1977; also Gray 2004). Cable, alongside with political scientist Edward Luttwak, were among the first to systematically label such activities. They called them 'gunboat diplomacy' and 'armed suasion' – respectively (Cable 1999; Luttwak 1974).

Yet, international analysts use Chinese coercion in the ESCS to articulate one a 'new' form of conflict. China's brand of coercion is a 'grey zone' strategy (Green et Al. 2017, 21-33). What does this mean? In 2010, the US Department of Defence brought 'grey zone operations' to international attention. These operations were regarded as assertive enough to fail to qualify as a 'fully peace' type of endeavours, but not belligerent enough to constitute wartime activities (DOD 2010, 73; Hoffman 2015, 29). Since then, 'grey zone operations' have come to refer to actions 'below the traditional thresholds of high-end conflict' (Mazarr 2015, 5; Hoffman 2016, 26). These were '(...) characterised by intense political, economic, informational, and military competition more fervent in nature than normal steady-state diplomacy, yet short of conventional war' (Votel et Al. 2016, 102).

The defining factor of the grey zone has concerned the degree of force it implied in action. Frank Hoffman has in fact defined conflicts in the grey zone as encompassing 'deliberate multidimensional activities by a state actor just below the threshold of aggressive use of military force' (Hoffman 2016, 26). Michael Mazarr linked this method to 'measured' revisionist ambitions – which require a measured use of force. From his perspective, state actors like China and Russia were '(...) dissatisfied with the status quo and determined to change important aspects of the global distribution of power and influence in their favor' (Mazarr 2015, 1). Mazarr's Clausewitzian approach to the grey zone gauged an understanding of actions that involved 'the holistic application of a mosaic of civilian and military tools, short of combat operations, to achieve gradual progress toward political objectives' (Mazarr 2015, 64). From his perspective, revisionist powers were unwilling to risk major escalation; rather, they pursued gradual campaigns mobilising a variety of unconventional tools to achieve their objectives whilst trying to complicate or prevent responses (Mazarr 2015, 4).

Outside the American context, the Japanese Ministry of Defence was the first government institution to formulate a description of Chinese coercion in relation to the 'grey zone'. In December 2010, only a few months after the publication of the US Quadrennial Defence Review where the grey zone was first mentioned, the National Defence Programme Guidelines (NDPG) introduced this type of conflict

in the Japanese context. In the document, the security situation in East Asia was described as one in which 'there are a growing number of so-called "gray-zone" disputes – confrontations over territory, sovereignty and economic interests that are not to escalate into wars' (NDPG 2010, 2). The 2013 NDPG further articulated the concept, with the first definition presented in the subsequent defence white paper (NDPG 2013, 1, 2, 7). In practice, if not in name, the document sought to capture the Japanese perception of Chinese behaviour in the East China Sea. Grey zone activities were defined as encompassing non-peacetime contingencies involving:

- 1) Conflicting positions between states, etc., over territory, sovereignty, economic interests including maritime interests and other forms of rights and interests;
- 2) Not relying only on diplomatic negotiations among parties concerned in insisting on a certain position or demand;
- 3) Showing physical presence frequently, or attempting or making changes to the status quo in an area related to the issue with unilateral use of physical means short of armed attack in order to appeal its position or to force acceptance of it (JMOD 2014, 2).

The Japanese definition for (Chinese) maritime coercion was consistent with the grey zone literature. However, by focusing on state actions in matters of territorial sovereignty, it placed a stronger emphasis on the constraints on role of the armed forces in dealing with it. Recent scholarship has built on this point to detail how the Chinese brand of grey zone has focused on the use of non-military actors, especially in the South China Sea (Yung and McNulty 2015, 5-6). Yet, one comprehensive study of recent cases of Chinese coercion in the ESCS has returned to the basic point of the degree of force as the defining factor in the grey zone. The study has in fact expanded the definition of the Chinese 'grey zone strategy' to encompass 'efforts beyond steady-state deterrence and assurance' from 'land, air, sea, cyber and space to economics, legal manoeuvres, and influence activities' without 'resort to direct and sizeable use of force' (Green et al. 2017, 21).

This literature has done much to draw attention to the physical manifestations of the simmering tensions in the ESCS. In particular, in the Japanese context, the use of the grey zone framework is directly related to the constitutional limitations on the use of armed force, which in turn highlight the challenges to deal with robust, non-high end warfare actions. In adopting the grey zone framework, however, the literature has not engaged with four problematic assumptions. First, in the Chinese context, this framework assumes that Beijing's coercive behaviour is somehow new – but authors never explain why. How does Mazarr's well-articulated definition of grey zone differ from traditional forms of coercive naval diplomacy? Second, the expression 'grey zone' in itself is rather ambiguous in that it prevents to categorise maritime coercion – which can be related to different uses of the sea as a resource, as a means for transport, or as a space for dominion (Parry 2014, 1-3; Till 2009, 23-33). This,

in turn, raises the question of how and when actions are not part of a 'grey zone' strategy. Third, the grey zone notion assumes that an actor operating in it will not seek escalation – again, without explaining why. Hoffman specifically states that '(g)ray zone conflicts do not cross that threshold and use a different mix of methods, entirely short of bloodshed' (Hoffman 2016, 29). The absence of bloodshed is somewhat an artificial distinction since one can know about it only in the aftermath of the conclusion of a given action. The fourth problematic assumption unfolds directly from the previous ones. If it is unclear what is new about Chinese grey zone strategy, and it is difficult to understand what is and is not part of it, it is similarly difficult to understand the intent behind it and how the aims to achieve it may change over time. What changes of status quo do constitute a 'measured revisionism' and how do different actions contribute to articulate it?

Is Chinese coercion so different to the point of justifying the use of a brand new label? From a maritime perspective, it is not. Or, at least, the grey zone framework is not as helpful as it has been suggested in capturing its degree of novelty. The ability of naval assets to conduct operations under the threshold of open war has in fact been a central premise to this type of writings. In defining 'gunboat diplomacy', for example, James Cable clearly stated that this involved:

The use or threat of limited naval force, *otherwise than as an act of war*, in order to secure advantage, or to avert loss, either in the furtherance of an international dispute or else against foreign nationals within the territory or the jurisdiction of their own state (emphasis added). (Cable 1999, 39)

Part of the confusion unfolds from the counterintuitive observation that navies – and more broadly maritime forces – possess specific features that allow them to deliver coercion through a calibrated use, or threat of, limited force in a way that other armed forces cannot. Within this context, scholar Ken Booth suggested that the versatility, controllability, mobility, projection ability, access potential, symbolism, and endurance of the main naval delivery platform, the warship, were central to navies' non-war roles (Booth 1977, 15-19; Speller 2014, 81). Maritime platforms were not, and are not, built with purely diplomatic functions in mind; yet, their balance in terms of combat and support characteristics empower them to conduct coercive actions. In the 1970s, Vice Admiral Stanfield Turner articulated this capacity into one of the US Navy's four core missions. He called these activities – coercive or otherwise – as 'naval presence missions'. In particular, he noted that a vessel could perform more missions than one at any given time and, as a result, the key issue to naval presence did not revolve around the categorisation of activities. Rather, context and purpose defined the nature of 'presence' operations (Turner 1974, 99-100). The defining factor of a presence operation was not the degree of force for this was related to the specific context. The key was in how a specific action connected to the broader context to produce a specific effect.

The above considerations lead to the correlation linking maritime capabilities to the array of coercive actions maritime assets can perform. Carriers may have more ways to implement coercive or other forms of diplomatic action than a frigate, a corvette, or even a maritime patrol aircraft, but this does not mean that smaller vessels – including coast guard cutters or even militia fishing boats – cannot perform coercion. Presence missions – including coercive ones – are not the exclusive prerogative of large capable naval forces alone. The versatility of maritime assets means that in some circumstances small vessels can be preferable. This is particularly true if the operation's intended aim is to deliver a sense of restraint and/or to limit counter-actions (Le Mière 2011; Le Mière 2011b; Le Mière 2014, chapters 2, 4). On this point, Jerker Widen has recently underlined how the very expression 'gunboat diplomacy' came from the frequent use of relatively small vessels – gunboats – along riverine or coastal regions of the Asian and African continents to conduct actions that rewarded colonial ambitions without resulting in high end war (Widen 2011, 717).

However, neither Booth nor his contemporaries writing on naval coercion have specifically dealt with constabulary coercion. This includes coercive activities designed to advance maritime claims as defined by regimes such as the United Nations Convention on the Law of the Sea (UNCLOS). Whilst this literature appeared before UNCLOS, already in 1978, English School doyen Barry Buzan was noting that the oceans were becoming 'an important source of disputes and conflict among states'. He considered that 'current disorder' arose 'from a revolution in the rules and norms by which states regulate their activity on the global commons of the oceans' (Buzan 1978, 1). Increasing competition over ocean resources meant that the convention that was debated at the time would not 'so much resolve some disputes as contain them'. From his perspective, the document that came to be UNCLOS was not to 'create order out of chaos, but rather define the terms of disorder' (Buzan 1978, 2).

Buzan was not alone in perceiving that the increasing significance of the sea as an exploitable resource would entail conflict, which for Buzan meant 'situations in which at least one party pursues the dispute by non-peaceful means – usually the threat or use of force' (Buzan 1978, 4). In 1980, shortly before the third conference on the law of the sea was concluded, Hedley Bull reviewed the risk of a scramble for resources and territorial claims. He noted that UNCLOS had the potential to nurture a form of 'new mercantilism', intended as 'the use of force not to defend resources already possessed and legally owned but to seize resources belonging to others' (Bull 1980, 5). As he pointed out, 'nations will still seek to exert military power at sea to ensure that these rights are upheld. If they do not, nations will employ military force in any case to advance their demands in the anarchical situation that will prevail'. This, he further observed, will produce a 'less publicised' scramble for 'the military instruments that will enable nations to make good their claims' (Bull 1980, 5). The emergence

of UNCLOS, in both Buzan and Bull's views, could plant the legal seeds for coercion and competition in the realm of constabulary activities to defend, assert, and consolidate claims.

Upon this basis, whilst the Chinese use of military coercion at sea does not warrant the need of a new definitional framework, it would be unfair to claim that Beijing's coercive activities in the realm of constabulary missions do not point to a degree of novelty. The emergence of UNCLOS as a legal regime for the oceans enables today Chinese authorities to coordinate and synchronise the use of military, constabulary, and irregular forces to pursue constabulary goals alongside strategic ones. In particular, to maximise the effects of coercion and minimise risks of responses, authorities in Beijing have come to regularly mobilise political and legal rhetoric to justify their actions and cast any response to their actions under an escalatory light. Winning without fighting is preferable to winning through waging war.

Yet, the localised nature of military and constabulary coercion in the ESCS raises a question of their link to what Chinese doctrinal documents refer to as preparations for 'local wars under high-tech (later informationalized) conditions' (Fravel 2015, 3-7). These are considered as a specific type of peacetime strategic problem featuring 'limited objectives in a part of an area where limited armed force is used' (Fravel 2002, 91). One remarkable aspect of these local wars is that they stress the link between peacetime and wartime in a way that whoever '(...) combine peacetime preparations with the flexible management and fast reaction to sudden incidents will quickly control the situation' (Fravel 2002, 93). Thus, the grey zone literature emphasis on exploring the space between peace and war too rigidly assumes the preference for coercive activities as a statement of commitment of not waging war, rather than one of a preferred line of action.

Chinese military doctrine – with its nuanced distinction between peace and war, combined with the country's actions at sea, comes much closer to meet the terms of NATO's definition of a 'hybrid strategy'. In NATO, a 'hybrid strategy' is defined as a 'broad, complex, adaptive and often *highly integrated combination of conventional and unconventional means, overt and covert activities, by military, paramilitary, irregular and civilian actors, which are targeted to achieve (geo)political and strategic objectives*' (original emphasis). Crucially, this definition does not stress the artificial boundary of a strategy that excludes military escalation, since 'the use of overt military action as part of a hybrid strategy cannot be discounted'.¹ This framework is similarly useful since it shifts the analytical focus away from the question of the use of force to explore the more significant link between intent and means. The preference in this paper for this definition is not meant to detract from the fact that

¹ NATO Alliance Command Transformation, 'Hybrid Warfare' presentation at 7th Annual NATO Maritime Interdiction Operational Training Centre (NMIOTC) Conference, Souda Bay, Greece, 08-09 June 2016.

'hybrid warfare' remains a contested notion and NATO's definition is not without critics (Schadlow 2015; Kofman 2015; Van Puyvelde 2015; Galeotti 2016).

Military and Constabulary Coercion: Actors and Activities

What are, then, military and constabulary coercion about? According to a panegyric published in the Beijing's *Guangming Daily* in 1974 and emphatically titled 'The Paracels War' (later republished in the *People's Daily* and broadcasted on national radio), maritime coercion was a distinctive expression of China's resolute defence of its 'territory'. As the poem put it, the Chinese armed forces had to be praised for their determination not to surrender 'an inch of its land nor a drop of its water' against foreign encroachments.² As celebratory as the poetry was, the essence of the behaviour was not lost on subsequent scholarship. Since then, academic research has in fact detailed Beijing's history of coercion and use of limited force in dealing with maritime territorial disputes, notably in the bloody skirmishes with Vietnam in 1974 and 1988 (Fravel 2008).

Yet, throughout the past decade, the role of the sea in Chinese national security has changed, and coercion in the ESCS has increased both in scope and manifestations. Military coercion has been pre-eminently conducted by the country's armed forces and has encompassed active measures – notably to interfere with foreign military activities – as well as a passive assertion, by means of major military enhancements of newly built island features. Constabulary coercion has been predominantly performed, on the other hand, by China's law-enforcement agency, the CCG and the PAFMM. This distinction, whilst important, should not – however – be taken too rigidly, as pointed out above. Chinese military doctrine makes it clear that 'ocean defence' is a multi-service endeavour, aimed at the legal goal of territorial affirmation as much as at the strategic ambition to become a maritime power (Erickson 2016, 4-6). Furthermore, maritime assets can, by design and as a virtue of the sea as an operational environment, be employed to conduct both types of missions at any given time. This has meant, therefore, that it is difficult in some cases to draw clear operational distinctions, a fact compounded by the integrated nature of Chinese command structure (Li 2017; Kennedy and Erickson 2017).

Coercive 'military' activities in the ESCS have included missions such as intelligence, surveillance, and reconnaissance (ISR), patrol deployments, and training. Their coercive nature is defined by attempts to test foreign naval capabilities and probe opportunities to assert presence and contest foreign militaries operational access and manoeuvre; military coercion encompasses activities to shadow, harass, interfere with, and deter operations by foreign militaries in international waters. The

² 'Peking Celebrates Its Paracels Victory with an Epic Poem', 19 March 1974, Doc. No. 1974HONGK03095, Message to State, *The National Archives*, United States.

main aim is to tactically shape the operational environment of the ESCS to favour China's conduct of military operations in both theatres and limit and obstruct those of other state actors. Constabulary coercion, on the other hand, has focused more narrowly – as one senior Chinese military author from the Department of National Defence Mobilisation at the National Defence University described them – on low-intensity maritime rights protection operations.³ They are aimed at achieving the goal of declaring, supporting, or enforcing Chinese territorial claims. The key difference between the two categories therefore relates to whether the activity in question can be directly linked to the defence of a specific maritime territorial claim or not.

Instances of coercive military encounters in the ESCS are well documented (Green et al. 2017, chapter 3; International Crisis Group 2016; Cronin et al 2014, 11-18; Odom 2010). These have encompassed activities such as shadowing operations of foreign surface groups; controversial 'unsafe' air manoeuvres in international air space; the establishment of an Air Defence Identification Zone (ADIZ) over the East China Sea, and the use of 'shouldering' and other intimidating tactics against military platforms from countries, such as the United States, Japan, and the Philippines (Cooper 2016; Martinson 2016b; Wanklyn 2015; Chen and Glaser 2015; Young and McNulty 2015; Patalano 2014; Thayer 2013; Odom 2010). These encounters have often taken place not far from waters or island features claimed by China, but they aimed at affecting foreign military patrol operations in a way akin to declaring strategic interests. Two recent examples provide clear cases in point. In 2013, a Chinese warship reportedly locked its weapons-guiding radar on a Japanese destroyer on a routine patrol some 110-130km north of the Senkaku/Diaoyu Islands (Kyodo 2013; International Crisis Group 2016, 8, 20).⁴ In 2014, two Chinese SU-27 jets flew in dangerous proximity to both a Japanese maritime OP-3C surveillance aircraft and a YS-11EB electronic intelligence aircraft in the airspace where the Japanese and Chinese ADIZ overlap (Akita 2014; International Crisis Group 2016, 8, 20). These operations have been all 'active' manifestations of a strategy of coercion, as they signalled an intention to contest an operational theatre and probe military capabilities of competing actors.

By contrast, in the South China Sea, military coercion has also included passive assertion measures such as the development of shore-based infrastructures for military use (Townshend and Medcalf 2016, 11-14). These are 'passive' measures in that once they are in place they perform their function not as part of a specific response, or initiative – their existence is an act of coercion in itself. This has occurred within the context of the island-reclamation and upgrading efforts of seven features China occupies in the Spratly islands, and of an equal number of features in the Paracel Islands (AMTI 2017; AMTI 2016). In the Spratlys, China has created a staggering thirteen square km of land to

³ Kennedy, Conor M. (2017) 'Maritime Militia Operations and Trends – Gray Zone Tactics', paper presented at the conference *China's Maritime Gray Zone Operations*, China Maritime Studies Institute, Naval War College, RI, 2-3 May, 110.

⁴ Author's interviews with senior Japanese naval officials, Tokyo, April 2013.

accommodate port facilities, radar stations, airstrips, reinforced hangars, close-in weapons systems (CIWS), and point defence system (DOD 2017, 12; AMTI 2017b; Fennell 2016, 32). These facilities are considered to be operational and capable of supporting both constabulary and, crucially, sustained military operations (Fennell 2016, 32-33; Clapper 2016; AMTI 2017). The hangars in the Spratlys are capable of accommodating 24 fighter jets, and relevant air refuelling and logistical support assets (AMTI 2017). In the Paracels, three outposts field protected deep-water harbours. Five include helicopter pads, whilst Duncan Island houses a full helicopter base and Woody Island musters an airstrip, reinforced hangars, and surface-to-air HQ-9 missile batteries – in addition to a variety of civilian buildings (AMTI 2017). On 29 March 2017, a j-11 fighter was visible on the island's runway, confirming earlier reports of these assets' deployment to the island (Johnson 2017; Townshend 2016). In December 2017, Chinese media too acknowledged the deployment of aircraft, broadcasting j-11B fighters entering a hangar on Woody Island (Global Times, 01 December 2017).

In the realm of constabulary coercion, China's law-enforcement and militia organisations have been the pre-eminent 'blunt defenders of sovereignty' (Morris 2017, 75). The CCG is the main law-enforcement actor designated to protect and preserve national maritime rights (Morris 2017, 85; Hong 2015; Martinson 2015). Institutionally, this task underwrote the reform to establish the CCG in 2013, when four organisations were merged together and put under the responsibility of the civilian State Ocean Administration (SOA). The CCG brought together the China Maritime Surveillance (CMS), the Maritime Border Police (MBP), the Fishing Regulation Administration, and the General Administration of Customs (Hong 2015). A fifth organisation, the Maritime Safety Administration, remained instead under the responsibility of the Ministry of Transport with the responsibility to conduct search and rescue activities. The reform had two goals: firstly, it sought to increase command and control mechanisms; and secondly, it was designed to reduce the risk of uncoordinated actions by separate commanders (Hong 2015). The result was the creation of the largest coast guard in the world. As of 2016, the CCG had in fact increased its aggregated tonnage by an estimated 73% compared to 2010 (Morris 2017, 78); crucially, it commanded a force of more than 450 patrol vessels, including two 'super cutters' with an astonishing 12,000t displacement, at least 24 vessels displacing more than 3,000t, and an estimated 79 ships more than 1,000t (Martinson 2015, 45). Similarly important, recent scholarship has unveiled that the reform of the academy training and education would suggest the intention to consolidate the CCG's use in muscular enforcement activities (Martinson 2017, 18-20).

The CCG is complemented by the PAFMM. The maritime militia are organised group of patriotic fishermen recruited from China's coastal regions. Reportedly, these irregular forces draw upon a tradition established in the early days of the PRC, when irregular forces were responsible to carry out the 'people's war at sea' (Erickson and Kennedy, 2015a). The militia's contribution to the country's

ocean defence and maritime rights protection activities has been recently growing in national strategy. The 2013 Defence White Paper stressed that they were to 'serve as an assistant and a backup force of the PLA' in performing three main missions: defending China from external threats; and to assist security forces to ensure social stability and in responding to disaster relief (Erickson and Kennedy, 2017, 2-3). Whilst the actual number of militia boats in service remains unknown, scholars have revealed that already in 1978 this force included some 140,000 crafts with some 750,000 members (Erickson and Kennedy, 2016, 2). The PAFMM is subject to a 'dual-responsibility system' which makes it a separate component of the Chinese military that can be mobilised to work and operate within the military's command structure (Erickson and Kennedy 2017, 3-5). They usually perform civilian tasks – notably fishing; they receive nonetheless regular training; they are provided with advanced communication and other specific equipment. This has included in the past weapons like mines and PRGs to engage with foreign ships (Tisdall 2016; Erickson and Kennedy, 2015b; Erickson and Kennedy, 2015c).

Reportedly, the CCG and the PAFMM have come to play frontline roles in China's conduct of operations to assert its maritime rights (Morris 2017, 77-83; Martinson 2016, 193-200; Martinson 2017, 2-4; Erickson and Kennedy, 2016, 4-8). What makes these actions coercive in nature is that fact that these assertions of presence take place in contested spaces. Thus, constabulary coercive activities have had two main aims, showing presence and control of uninhabited offshore islands or, like in the case of the Senkaku Islands, disputing other parties' claims and control. Tactically, the most articulated expression of the latter type of operations have included the CCG 'routinized' incursions inside the territorial waters around the Japanese- controlled Senkaku Islands – ongoing since October 2013.

Similar, albeit less frequent, operations have occurred in the airspace too, with a Y-12 fixed-wing aircraft belonging to the State Oceanic Administration entering inside the islands airspace in December 2012 and, in May 2017, by a small drone.⁵ Initial CCG patrols inside the islands' territorial waters during the 2012-13 period have produced numerous close encounters and stand-offs with the Japan Coast Guard (JCG). More recently, in August 2016, this category of coercive actions was extended to include the deployment of the CCG to enforce Chinese 'rights' to exploit fisheries. At that time, the CCG escorted 200-300 fishing boats operating in the contiguous zone around the Senkaku islands deploying up to 15 assets in the area.⁶

The maritime militia, on the other hand, has been regularly employed to conduct both types of activities. The notion of 'national defence mobilisation for low-intensity maritime rights protection'

⁵ Authors's interview with senior official, Strategic Intelligence Division, Japan Ministry of Defence, Tokyo, 02 June 2017.

⁶ Ibid..

underwrites the militias' mobilisation system. In constabulary actives, militias have contributed to escort assets owned by Chinese corporations for the conduct of scientific exploration and resource exploitation in contested areas, as well as to ensure regular and continuous presence. In regards to the former, in 2013, the Sanya Fugang Fisheries Co. Ltd., one of the leading militia organisations in the Hainan Province provided escorts to the China National Offshore Oil Corporation's (CNOOC) survey vessels near Triton Island. In May 2014, the then PLA's Guangzhou Military Region Command supervised PAFMM unites from Guangdong, Guangxi, and Hainan, as they escorted CNOOC HYSY-981 drilling platform to operate in an area in dispute between China and Vietnam (Martinson 2016, 200-201). In relation to presence operations, data analysis of Automated Identification System (AIS) pertaining to vessels operated by the Sansha Maritime Militia established systematic patters of deployment to the Chinese controlled Spratly Islands – including Fiery Cross Reef, Mischief Reef, and Subi Reef – as well as at the Scarborough Shoal.⁷

In the realm of military coercion, some of the militia's core functions have revolved around providing support to the PLA, from transportation services, to search and rescue, resupply, reconnaissance and surveillance, and even in combat. Indeed, its expanded use in constabulary operations has not diminished its contribution in military coercion. In terms of ISR, the Hai'an militia regiment in Jiangsu Province was documented gathering information during a US naval exercise in 2014, and today fields some 119 vessels all equipped with advanced radar and Beidou satellite navigation system. Militia units regularly conduct harassment and sabotage operations against foreign naval vessels, as in the cases of USNS Bowditch (2002), USNS Impeccable (2009), or as in the 2014 case of obstruction of supplies to the Filipino detachment on an outpost at the Second Thomas Shoal (Erickson and Kennedy 2015c). Undersea warfare support operations are also part of the militias portfolio, with a reported case in 2015 of senior Chinese naval commander from the PLAN East Sea Fleet visiting the Beilun District of Ningbo City to supervise the reorganisation of a 'reserve survey vessel squadron' – a likely addition to the East Sea Fleet in times of urgency.⁸

A Strategy for Maritime Control: Linking Plausible Legality and Tactical Asymmetry

Why does make Chinese military and constabulary coercion part of a hybrid strategy? The answer to this question rests on how Chinese authorities have managed to mobilise plausible political and legal rhetoric to downplay a broader strategic intent to exert military control over the ESCS. Since at least 2011, Chinese authorities have in fact defined the country's maritime empowerment terms that suggest the functional subordination of constabulary coercion to military activities. At that time,

⁷ Kennedy, Conor M. (2017) 'Maritime Militia Operations and Trends – Gray Zone Tactics', paper presented at the conference *China's Maritime Gray Zone Operations*, China Maritime Studies Institute, Naval War College, RI, 2-3 May, 110-117.

⁸ Ibid., 114.

former President Hu Jintao was among the first leaders to clearly link the growing significance of naval power to national security, pointing out that the navy had to speed up 'its transformation and modernisation in a sturdy way, and make extended preparations for warfare in order to make greater contributions to safeguard national security' (BBC News 2011). A year later, during the 18th Party Congress, he further formalised this view that military power had to be 'commensurate with China's international standing' to 'carry out their historic mission in the new stage in the new century' (Hu 2012).

Hu's successor, President Xi Jinping, made sure to follow up on this quest and indeed he has been central to all major policy decisions in the ESCS since his come to power (Kyodo, 02 December 2017). Under his guidance, the quest for maritime power has been given political support and adequate funding (Martinson 2016b). In the defence white paper published in 2014, naval missions were set to expand, encompassing sea-lanes defence and overseas interests' security, in addition to protect sovereignty, because 'the seas and oceans bear on the enduring peace, lasting stability and sustainable development of China' (CMoD 2014). Accordingly, the first point of order for future force development focused on the navy (CMoD 2014). This prioritisation was consistent with an influential assessment published a year earlier which expected threats to national security '(...) mainly from the sea'. Indeed, 'the focal point of military struggle is mainly in the sea' (Academy of Military Science 2013, 209). In official defence policy circles, the sea was taking centre stage; within it, the ESCS were China's first lines of defence and power projection basins – with this idea encompassing also the ability of Chinese maritime capabilities to ensure the exploitation of resources as well as. Indeed, in Chinese official policy documents, capabilities for 'open seas protection' were needed in addition to those for 'offshore defence' (CMoD 2015; Campbell 2015).

Support for naval modernisation and expansion was not a phenomenon without precedents; over the decades, as Chinese maritime interests had expanded, so had the boundaries of 'ocean defence' and the requirements to meet them (Fravel and Liebman 2011). Nonetheless, as one new study has shown, by 2017, plans for capabilities build-up were continuing unabated (Dutton and Martinson 2017); crucially, the military dimension of becoming a maritime power was openly intertwined with the country's leadership ultimate objectives of political affirmation. During a visit to the navy's headquarters in March, President Xi reportedly linked the navy to the nation's goal 'of great rejuvenation' (Xinhua 2017). In a vision of neo-Mahanian flavour, he regarded a 'strong and modern force', with the confidence and capabilities 'to defeat all invading enemies and safeguard China's national sovereignty, security, and development interests' was more important than at any other time in the country's history (People's Daily 2014; Yoon 2014; Yoon 2015; Xinhua 2017; People's Daily 2017).

In some respects, it is not surprising that the second largest world economy regarded strong maritime capabilities as a national priority. Indeed, international prestige, the security of nationals overseas and economic assets, and some aspects of territorial defence have put naval power in the driving seat of defence policy (Cole 2011; McDevitt 2016, 7-21). By the same token, it should come as no surprise that this need for stronger maritime power has extended to the development of constabulary capabilities too. Since the passage of the 1992 law on Territorial Sea and Contiguous Zone', the expression 'maritime rights and interests' had slowly gained prominence in Chinese debates, a fact further reinforced by the ratification of UNCLOS in 1996. By 2012, the intention to put pressure on the Japanese government in regards to China's territorial claims over the Senkaku islands led Chinese authorities to step up the empowerment of its constabulary forces (Pugliese and Insisa 2017, 63-67). By 2013, senior officials at the State Oceanic Administration (SOA) had reiterated its significance as a precondition to become a maritime power (Kardon 2015, 7). As a concept, 'maritime rights and interests' comprised the economic development, the legal management, and the effective political and strategic control of the areas of the oceans claimed by China (McDevitt 2016, 4). These claims, in turn, were based upon a combination of frameworks, encompassing unclear 'historical rights', UNCLOS, as well as customary rules about ocean conduct. In March 2013, the decision to implement the reorganisation and enhancement of the CCG under SOA's responsibility was another non-negligible opportunity to further the protection of maritime rights and interests.

The need to secure the country's maritime rights and interest has thus emerged as a factor reinforcing and expanding China's broader maritime agenda. Access and control to Chinese maritime rights and interests were one basic condition to become a maritime power and to complete 'national rejuvenation'. The issue is that this goal stood at odds with the competing territorial claims and the contested maritime boundaries of the ESCS. In the South China Sea, Chinese claims amounted to the Spratly and Paracel Islands, as well as to an area more than 80% of the resource-rich basin by means of the so-called '9-dashed line'. Statements from senior Chinese officials would point to a view to regard the space within this dotted line as 'Chinese jurisdiction', if not territory (Rose and Brunnstrom, 2015; Zhou 2016; Wei 2016). The legality of this dotted line, however, has not only been criticised within academic circles, but it has also been dismissed by the ruling of tribunal in the South China Sea arbitration case (Malik 2013; Hayton 2014, Chapters 1-4; Jacobs, 2014, 2-9; PCA 2016, 117, 473). In the East China Sea too, Chinese sovereignty claims over the Senkaku islands and concerning the boundary delimitation dispute with Japan speak to a legal cherry-picking to maximise claims over a potentially resource-rich space that draws upon controversial evidence (Patalano 2014, 37-42; Jacobs, 2014, 10-21; Drifte 2013, 12-19).

Existing analysis of Chinese maritime interactions in the ESCS would further corroborate the view that Beijing's authorities maintain a particularly instrumental – some authors suggested 'distorted' –

use of the law of the sea that draws upon less developed or clearly-defined areas to advance justification for claims and actions (Kraska and Wilson 2009, Odom 2011; Cohen 2016). In the words of former President Jiang Zemin, '(w)e must be adept at using international law as "a weapon" to defend the interests of our state and maintain national pride' (Odom 2011, 223).

It is within this understanding of China as a rising maritime power that the country's hybrid strategy has been taking shape. In particular, Chinese authorities have sought to mobilise political and legal rhetoric to support the country's coercive action in two ways. First, the official rhetoric has sought to downplay the nature of Chinese capabilities – crucial to deter other actors and to compel them to acquiesce to Chinese positions. Second, it has endeavoured to present Chinese actions as a measured response to a situation created by others. This rhetoric has been essential to allow military and constabulary coercion to advance Chinese goals and maritime claims by means of the so-called 'salami slicing' (Haddick 2012). Concurrently, Beijing's rhetoric of lawful actions and measured responses has sought to cast counter actions under an escalatory light, *de facto* forcing other actors to either risk further escalation or, to favour acquiescence and acceptance of the new situation. These tactical objectives would be consistent with those presented in Chinese military manuals focusing on the role of public information operations to control the narrative to advance China's interests, and to undermine the opponent's ability through attempts to create international sympathy and support, whilst demoralising the opponent (Kania 2016, 10-12).

Such an instrumental attempt to create an image of responsible actor facing unfair treatment has been mobilised both in the military and constabulary dimensions. As far as military coercion is concerned, the most glaring example of this are the above mentioned military outposts in the South China Sea. Their radar, air, and naval capabilities can sustain regular patrol, ISR, and conventional and strategic deterrence tasks in the basin – with significant consequences on the strategic balance of the basin in itself. Yet, their military potential remains downplayed as legitimate and lawful developments of national territory. On Woody Island, the emphasis is on the civilian component of local structures including restaurants, ATM machines, and tea shops (Chiu 2016). As of March 2017, cruise ships and commercial flights operated to Woody Island, whilst test flights by commercial aircraft had been conducted at Fiery Cross, Subi, and Mischief reefs in the Spratly Islands (Wong 2017).⁹ In July, the first cinema with cutting-edge '4K digital projectors as well as a 3D perforated screen' opened on Woody Island, to allow 'residents and soldiers' to 'enjoy films simultaneously with moviegoers across the country' (People's Daily, 23 July 2017). Chinese civilian projects on the reef have been used to allow for a story that replaces the controversy of power projection with a story of legitimate economic development.

⁹ Authors's interview with senior official, Strategic Intelligence Division, Japan Ministry of Defence, Tokyo, 17 March 2017.

This effort is further compounded by attempts to present military deployment of capabilities as ‘measured’, ‘incremental’, and ‘reactive’ in nature. In 2016, Just a few months after President Xi’s pledge of non-militarisation of the outposts, Foreign Minister Wang Yi noted that the defence facilities on the Spratly Islands were ‘in accordance with international law, which endows any sovereign state with the rights of self-protection and self-defense’ (People’s Daily, 17 February 2016). His hope was that the media could ‘pay more attention to the civilian facilities China has built and is going to build on relevant islands and reefs, which are the public goods provided for the international community’ (People’s Daily, 17 February 2016). Chinese defence officials, on the other hand, were of the opinion that extra regional actors such as the United States and Japan were ‘militarising’ the ESCS. In March 2016, after new images of the islands reclamation process were released, Chinese officials took advantage of a US carrier sailing into the South China Sea to make this point. They stressed how ‘China has always committed itself to maintaining regional peace and stability, and is highly concerned about the related countries’ activities of militarizing the South China Sea’ (China Military Online, 07 March 2016). The Ministry of Defence spokesperson added to this perception by stressing also how the Japanese activation of a radar station on Yonaguni island in the East China Sea represented a similarly provocative act. From his perspective,

‘if China’s deployment of necessary defense facilities on its islands and reefs is blamed for “undermining freedom of navigation”, what should Japan’s action be called when it strengthened military deployment around the narrow Yonaguni-Iriomote Channel, which is an international water channel connecting the East China Sea and the West Pacific?’ (CMoD. 31 March 2016).

On a similar note, Chinese officials have spared no effort to portray comments and actions challenging Chinese military coercion as symptomatic of double standards, of aggressive behaviours against China, or indeed of ‘hegemonism in disguise’. One main source of contention in this regards draws upon a difference in view concerning Exclusive Economic Zone (EEZ) access for foreign military vessels and aircraft. For example, Chinese authorities have been systematically seeking to present activities such as the US Navy Freedom of Navigation Operations (FONOPs) under an escalatory light in a way that was inconsistent with their intended nature and history (Stander 2017). In 2015, a Chinese media commentary on US FONOPs blasted ‘Washington’s promotion of maritime militarization and threats of other countries’ sovereignty and national security in disguise of navigation freedom’ as ‘against international law’ (Xinhua 19 November 2015). In 2016, shortly after the release of the annual freedom of navigation report, the Chinese Foreign Ministry spokesperson Hua Chunying commented that these activities showed the American attempt ‘(...) to dominate maritime order and reflect its logic of hegemony and exceptionalism in its treatment of international law, which it uses when convenient and abandons on unfavourable conditions’ (Xinhua 27 April 2016).

In the realm of constabulary activities, the idea of a 'lawful pursuit' of territorial claims served to mask a similar capability asymmetry that favours China vis-à-vis other claimants. Lyle Morris and Ryan Martinson have convincingly proved how, compared to other regional coast guards in the ESCS, the CCG has today no equal in aggregated tonnage. Specifically, their research shows a significant increase in ocean-going cutters above 500tons, especially between 2,000 and 3,000 tons. Yet, the CCG vessels are not merely getting larger and, as a result, more enduring. They're gaining greater firepower. Large vessels procured before the merger were already equipped with advanced equipment such as water cannons and deafening sirens. Evidence shows that Chinese water cannons are already capable of projecting jets of seawater to some 100m and to disable communication equipment of other vessels (Martinson 2016).

Significantly, post-merger ocean going capabilities feature also deck armament. The new super cutters are built with a 76mm main gun (Martinson, 03 July 2015). Decommissioned PLAN frigates joining the CCG have retained two 37mm turrets (Gady 2015); new designs for the leading *Zhaoduan* and *Zhaojun* classes are being also fitted with 76mm main guns. Within the constabulary realm, it is worth noting that the militia forces too are an asymmetric force, provided equipment for advanced communication and, in some cases, mine and interdiction and harassment operations (Tisdall, 2016; Erickson and Kennedy, 2015b; Erickson and Kennedy, 2015c).

In the constabulary context, the Chinese use of the image of the measured and lawful actor reacting to the circumstances is best explained by the on-going standoff within the territorial waters of the Japanese-administered Senkaku Islands. In September 2012, in the aftermath of the Japanese government's announcement to purchase three of the islands, Chinese authorities felt they were 'completely justified' to 'take necessary measures to safeguard national territorial sovereignty and uphold historical facts and justice' (CMFA, 13 September 2012). As the Assistant Foreign Minister further articulated shortly thereafter, the necessary measures included the establishment of base points and baselines of the territorial sea around the islands in line with 1992 law to allow for a clearer legal basis to 'safeguard China's sovereignty' (CMFA, 14 September 2012).

This was coupled by the deployment of surveillance vessels in the territorial waters, the announcement of routine surveillance and survey, and the broadcasting of meteorological forecasts of the islands on national television (CMFA, 14 September 2012). What Japan had done constituted a 'a gross violation of China's territorial sovereignty', one that spoke volumes of Tokyo's political shift towards 'ultra-rightism' and that as such, represented a problem for the international community (CMFA, 13 September 2012). As Pugliese and Insisa have pointed out, the Chinese response was part of a broader and complex campaign – which involved Chinese officialdom and elements of academia

- to present a cohesive voice to influence foreign 'opinion leaders' about the 'rightfulness' of the Chinese views and actions (Pugliese and Insisa 2017, 104-107).

Since China's initial reactions in 2012 and until the second half of 2017, neither the conduct of 'patrols' around the islands, nor the nature of the rhetoric over the Chinese need to pressure Japan changed significantly. In September 2014, the Chinese MFA spokesperson reiterated Chinese stance on the matter, noticing that it was up to Japan to take steps to improve bilateral relations, and that government assets now patrolled the islands 'on a regular basis' (CMoD, 11 September 2014). Until the end of 2015, increased Chinese patrols had in fact settled on a 'routine' of three incursions per month, with the exception of July 2014 and 2015 – when there were only two incursions.¹⁰ This, in turn, opened up opportunities for further coercive actions to adapt to new circumstances depending on the evolution of the bilateral relations.

In December 2015, at the end of a year that had seen little progress on the bilateral maritime disputes and witnessed the emergence of Japan as a more critical voice of Chinese actions in the South China Sea, CCG deployments started to feature armed vessels (AFP 2015). Early in 2016, the Japanese response to what was confirmed by then as be the deployment of an armed vessel was to highlight the prospect of the re-activation of a law authorising the navy to intervene in support of the JCG in case of armed vessels entering Japanese territorial waters – a law first established during North Korean naval incursions in the early 2000s (Reuters, 12 January 2016). The Chinese official reactions were immediate. Within the day, officials downplayed the question of the armed vessels, pointing out that 'China's navigation and patrol activities in the relevant waters near the Diaoyu Islands are completely legitimate', calling the Japanese not '(...) to confuse the right and wrong on the issue of the Diaoyu Islands (...)' (CMoD, 15 January 2016; Reuters 13, January 2016). From their perspective, their actions were lawful, legitimate and necessary to counter Japan's continued attempts to violate Chinese sovereignty.

Conclusions: Chinese coercion in the ESCS as a Hybrid Strategy

As one commentator recently noted, sovereignty '(...) is a nebulous concept – signifying a concern with power, but identifying no safeguards to prevent its abuse' (Sadakat 2017). This would seem to be true in the case of Chinese coercion in the ESCS. In China, national authorities regard maritime capabilities as a central tool of statecraft heralding the country's ascendancy to the world stage. The pursuit of capabilities needed to acquire the control of the contested spaces claimed in the ESCS reinforces the quest for those required to protect wider interests outside their confines. In a context

¹⁰ Authors's interview with senior official, Strategic Intelligence Division, Japan Ministry of Defence, Tokyo, 17 March 2017.

where competing claims demands to defend every 'inch' of China's land and every 'drop of its water', Chinese authorities regard the sea as a place of 'struggle' where maritime claims are prerequisite for, and subject to, power projection, and where might makes right.

This is why China's strategy of coercion in the ESCS is a hybrid strategy. It mobilises military, paramilitary, and constabulary means to achieve clear geostrategic objectives in which legal gains over the status of island features and portions of the ESCS serve the projection of power and influence within and beyond these basins. It is a hybrid strategy because coercion encompasses passive and active measures. It is a hybrid strategy because it seeks to downplay the nature of coercion by presenting actions as lawful, measured, and reactive. It is a hybrid strategy because it seeks to coordinate and synchronise tactical activities and political and legal rhetoric to prevent or limit responses. It is a hybrid strategy because there is no indication that such a strategy rules out higher degrees of the use of force. The Chinese literature points to a statement of a preferred aim (i.e. winning without fighting), not to a statement of commitment.

This leads to four broader conclusions. First, military and constabulary coercion may overlap to an extent, but they are different in ambitions and objectives. This distinction is significant both intellectually and practically. Intellectually, Chinese constabulary coercion weakens the principles of peaceful disputes resolutions of maritime disputes enshrined in established legal frameworks such as UNCLOS. It also undermines the spirit of regional agreements like the 2002 Declaration of Conduct (DoC) signed by China and ASEAN, which similarly reaffirms the use of peaceful means to approach maritime disputes. Practically, this distinction is relevant because countering military coercion requires a discussion on the strategic value of the ESCS beyond specific claims, to better evaluate the costs and benefits of meeting the challenge.

The second conclusion unfolds directly from the first. This distinction matters in that it requires analysts, scholars and policymakers alike to articulate interests and responses in light of both. Military coercion requires non-claimant states to prioritise the assessment of their ability to coexist and interact with Beijing against eventual treaty obligations, as in the case of the United States vis-à-vis Japan in the East China Sea. Claimant states however may wish to focus on deterring and countering constabulary coercion. Against this background, non-claimant state actors like the United States, Australia, India, France, the United Kingdom, or Japan (in the South China Sea) but with strategic interests in regional stability may opt to focus on indirect support – in the form of capacity building – or in more vocal diplomatic action in support to claimant states in countering constabulary coercion.

The third consideration concerns the role of political and legal rhetoric in the pursuit of military and constabulary objectives. In a hybrid context, their purpose is to downplay constabulary and military initiatives, to present them under a positive light, and to enhance the effectiveness of coercion. Political and legal rhetoric are, therefore, inherent tools of the coercive machinery and as such, they need to be addressed for counteractions to be effective. Inconsistent or misleading accounts should be challenged to reduce their ability to cast responses under escalatory light. One recent example is offered by the work of the team at the Asia Maritime Transparency Initiative (AMTI). Shortly after the 50th ASEAN Foreign Ministers' Meeting in Manila, the AMTI team published analysis of recent imagery that directly challenged Chinese foreign minister Wang Yi's assertion that China was no longer carrying out land reclamation in the South China Sea.

Lastly, unlike the grey zone concept, the notion of a hybrid strategy conveys a much needed sense of connectivity of the space between peace and war. In particular, since constabulary coercion is subordinated to the broader objectives of military coercion the hybrid vocabulary better captures the objective risk that war may actually happen if prolonged and systematic acts of coercion are not fully addressed. The link between constabulary and military coercion suggests that individual actions have also cumulative effects. Passive military coercion such as the enhancement of military outposts in the South China Sea as much as active measures like the development of weaponised maritime law-enforcement and militia forces have immediate effects but also longer term impact.

In terms of military coercion, as Chinese authorities have often stressed, the current state of the enhanced islands in the South China Sea presents only a limited immediate military threat. But the design and military potential of their capabilities speaks of much more substantial long-term impact. The cumulative effect created by a sustained enhancement may very well contribute to create a more dangerous operational context especially given the functional connection between maritime claims and strategic objectives in the ESCS. The steady enhancement of military and law-enforcement capabilities deployed in the East China Sea in the context of the Sino-Japanese territorial disputes, for example, raises this very question. How long will it take before the deployment of enhanced Chinese capabilities for constabulary coercion create a context that undermines both Japanese control of the Senkaku islands and the basin's operational balance? How will this cumulative effect inform the action of Japan as both a claimant state and a power with an interest in the status quo of the strategic balance? How should the potential long-term strategic effect of constabulary coercion inform the action of non-claimant parties like the United States, with similar interests in the strategic status quo? The answers to these questions are far from self-evident. Yet, the use of a hybrid strategy framework that keeps the perception of the risk of war in sight may very well offer a first step to address them.

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